

SECOND REGULAR SESSION  
SENATE COMMITTEE SUBSTITUTE FOR  
**SENATE BILL NO. 1040**  
94TH GENERAL ASSEMBLY

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Reported from the Committee on Agriculture, Conservation, Parks and Natural Resources, March 27, 2008, with recommendation that the Senate Committee Substitute do pass.

4435S.04C

TERRY L. SPIELER, Secretary.

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**AN ACT**

To repeal section 644.570, as enacted by conference committee substitute for senate substitute for senate committee substitute for house substitute for house bill no. 450, ninetieth general assembly, first regular session, and section 644.570, as enacted by house substitute for house committee substitute for senate substitute for senate committee substitute for senate bills nos. 160 & 82, ninetieth general assembly, first regular session, and to enact in lieu thereof one new section relating to storm water control assistance, with a contingent effective date.

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*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Section 644.570, as enacted by conference committee substitute  
2 for senate substitute for senate committee substitute for house substitute for  
3 house bill no. 450, ninetieth general assembly, first regular session, and section  
4 644.570, as enacted by house substitute for house committee substitute for senate  
5 substitute for senate committee substitute for senate bills nos. 160 & 82,  
6 ninetieth general assembly, first regular session, are repealed and one new  
7 section enacted in lieu thereof, to be known as section 644.570, to read as follows:

644.570. 1. The board of fund commissioners of the state of Missouri, as  
2 authorized by section 37(h) of article III of the Constitution of the state of  
3 Missouri, may borrow on the credit of this state the sum of twenty million dollars  
4 for the purposes of financing and constructing storm water control plans, studies  
5 and projects as set out in this chapter. The department shall allocate these funds  
6 through grants [and] **or** loans to municipalities, **public** sewer districts, sewer  
7 districts established pursuant to article VI, section 30(a) of the Missouri

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

8 Constitution, **public** water districts, or any combination of the same located in  
9 a county of the first classification or in any city not within a county or by any  
10 county of the first classification.

11 2. [Of the funds allocated in subsection 1 of this section, fifty percent shall  
12 be allocated to grants and fifty percent shall be allocated to loans. Grant  
13 amounts so awarded shall be] **Grants awarded under this section shall be**  
14 **no more than** fifty percent of the cost of the plan, study or project.

15 3. Grants [and] **or** loans [awarded pursuant to] **allocated under** this  
16 section shall be [disbursed] **initially offered** to eligible recipients in counties  
17 of the first classification and in a city not within a county in an amount equal to  
18 the percentage ratio that the population of the recipient county or city bears to  
19 the total population of all counties of the first classification and cities not within  
20 a county as determined by the last decennial census.

21 4. Grants [and] **or** loans [awarded pursuant to] **offered to a city or**  
22 **county under subsection 3 of** this section shall be [disbursed directly]  
23 **further allocated and initially offered** to eligible recipients in any city with  
24 a population of at least twenty-five thousand inhabitants located in a county of  
25 the first classification in an amount equal to the percentage ratio that the  
26 recipient's population bears to the total population of the county.

27 5. **After the initial offer of grants or loans has been made to**  
28 **eligible recipients under subsections 3 and 4 of this section, any**  
29 **remaining funds may be reallocated to recipients of the initial offer**  
30 **who have eligible projects for such funds until no such funds**  
31 **remain. The reallocation of funds shall be made to eligible recipients**  
32 **with remaining eligible projects in an amount equal to the percentage**  
33 **ratio that the population of the eligible recipient bears to the total**  
34 **population of all other eligible recipients with remaining eligible**  
35 **projects under this subsection.**

36 6. Other provisions of this section notwithstanding, in those cities or  
37 counties served by a sewer district established pursuant to article VI, section  
38 30(a) of the Constitution of the state of Missouri, any grants or loans awarded  
39 shall be disbursed directly to such district.

40 7. **Repayments of storm water loans and any interest payments**  
41 **on such loans shall be deposited in the storm water loan revolving**  
42 **fund, which is hereby created. The fund shall be used for the purposes**  
43 **of financing and constructing storm water control plans, studies, and**

44 **projects. The state treasurer shall be custodian of the fund and may**  
45 **approve disbursements from the fund in accordance with sections**  
46 **30.170 and 30.180, RSMo. Upon appropriation, money in the fund shall**  
47 **be used solely for the administration of this section. Any moneys**  
48 **remaining in the fund at the end of the biennium shall not revert to the**  
49 **credit of the general revenue fund. The state treasurer shall invest**  
50 **moneys in the fund in the same manner as other funds are**  
51 **invested. Any interest and moneys earned on such investments shall be**  
52 **credited to the fund.**

2 [644.570. 1. The board of fund commissioners of the state  
3 of Missouri, as authorized by section 37(h) of article III of the  
4 Constitution of the state of Missouri, may borrow on the credit of  
5 this state the sum of twenty million dollars for the purposes of  
6 financing and constructing storm water control plans, studies and  
7 projects as set out in this chapter. The department shall allocate  
8 these funds through grants and loans to municipalities, sewer  
9 districts, sewer districts established pursuant to article VI, section  
10 30(a) of the Missouri Constitution, water districts, or any  
11 combination of the same located in a county of the first  
12 classification or in any city not within a county or by any county of  
13 the first classification.

14 2. Of the funds allocated in subsection 1 of this section, fifty  
15 percent shall be allocated to grants and fifty percent shall be  
16 allocated to loans. Grant amounts so awarded shall be fifty percent  
17 of the cost of the plan, study or project.

18 3. Grants and loans awarded pursuant to this section shall  
19 be disbursed to eligible recipients in counties of the first  
20 classification and in a city not within a county in an amount equal  
21 to the percentage ratio that the recipient's population bears to the  
22 total population of all counties of the first classification and cities  
23 not within a county as determined by the last decennial census.

24 4. Grants and loans awarded pursuant to this section shall  
25 be disbursed directly to eligible recipients in any city with a  
26 population of at least twenty-five thousand inhabitants located in  
27 a county of the first classification in an amount equal to the  
percentage ratio that the recipient's population bears to the total

28 population of the county.

29 5. Other provisions of this section notwithstanding, in those  
30 cities or counties served by a sewer district established pursuant  
31 to article VI, section 30(a) of the Constitution of the state of  
32 Missouri, any grants or loans awarded shall be disbursed directly  
33 to such district.]

Section B. This act shall become effective only upon approval by the voters  
2 of a constitutional amendment submitted to them by the 94th general assembly,  
3 amending article III, section 37(h), regarding financing and constructing storm  
4 water control plans, studies, and projects.

Unofficial ✓

Bill

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